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Attorneys for Defendant
GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiffs,

V.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561 WHA

**GOOGLE'S RESPONSE TO REQUEST
FOR RESPONSE RE SUPPLEMENTAL
ANSWER (ECF NO. 1453)**

Dept. Courtroom 8, 19th Fl.
Judge: Hon. William Alsup

1 Pursuant to the Court's order regarding Google's precis request to file a motion for leave
2 to file a supplemental answer (ECF No. 1453), Google hereby provides the following response:

3 Taking as accurate the representation in Oracle's response to Google's precis request that
4 "Oracle has not yet (if ever) accused any [] version of Android" that includes source code based
5 on OpenJDK (ECF No. 1451 at 2), Google's request to file a supplemental answer to include a
6 license defense based on OpenJDK is currently moot. Google reserves the right to re-file its
7 request for leave, or otherwise assert its license defense based on OpenJDK, in any and all future
8 proceedings, including without limitation in any post-trial proceedings in this litigation, in any
9 injunction proceedings in this litigation, or in any other litigation, as appropriate under the
10 circumstances.

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12 Dated: January 27, 2016

KEKER & VAN NEST LLP

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14 By: /s/ Robert A. Van Nest
15 ROBERT A. VAN NEST
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16 Attorneys for Defendant
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